

DETAILED ACTION

1. The reply filed on December 7, 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant's summary of the restriction requirement mischaracterizes it, and applicant's election is not clearly responsive to the restriction as *written*. The restriction is not a 38-way restriction, as summarized by applicant. It is a series of 19 two-way restrictions. While this may appear draconian, this format was required by applicant's claim construction. Restriction #1 asks for election of either a composition which comprises R-14 or a composition which does not comprise R-14. Restriction #2 asks whether the composition of restriction #1 comprises R-50 or does not comprise R-50, etc. A complete response to the restriction requirement would make it clear which of the 19 ingredients is present in the composition of the recited method. Applicant's "as related to" language suggests that applicant either does not understand the restriction requirement, or he is creating and responding to his own restriction. If applicant has made a complete response, it appears that he is electing a composition which comprises R-14, R-236ea, R-245ca, R-245fa, R-23, R-116, R-170, R-508a, R-508b, R-1150, R-227ea R-236fa, RC-318, R-600 and R600a. Complete response to the restriction requirement must include a confirmation of this, or a statement of what is in the composition which applicant wishes to have searched. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction

in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Applicant's traversal of the restriction requirement is noted. Response to the traversal will be held in abeyance until applicant has complied fully with the restriction requirement, or indicates that he has already done so, and takes the opportunity to traverse further, if desired.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to the examiner, Dr. John R. Hardee, whose telephone number is (571) 272-1318. The examiner can normally be reached on Monday through Friday from 8:00 until 4:30. In the event that the examiner is not available, his supervisor, Dr. Yogendra Gupta, may be reached at (571) 272-1316.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John R. Hardee
Primary Examiner
December 22, 2004